

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

John Hyun *et al.*,

Plaintiffs,

—v—

Ippudo USA Holdings, Inc. *et al.*,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: ~~APR 15~~ 2016

14-CV-8706 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On October 31, 2014, Plaintiffs filed a complaint in the Southern District of New York alleging violations of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, and the New York Labor Law (“NYLL”), Art. 19 §§ 190 and 650 *et seq.* See Dkt. No. 2. After the Court granted Plaintiffs’ motion to conditionally certify a FLSA collective, *see* Dkt. No. 44, 48 plaintiffs opted into this action. Dkt No. 117 at 1. On December 9, 2015, the parties informed the Court that they had reached a settlement. *See* Dkt. No. 106. On February 23, 2016, the parties submitted a written settlement agreement for the Court’s approval, along with a letter explaining their views on the fairness of the settlement. *See* Dkt. No. 117. On March 24, 2016, the Court declined to approve the settlement. Dkt. No. 118. Although the Court found the settlement to be broadly fair and reasonable, it noted two specific problems with the confidentiality provision and Named Plaintiff release and required the parties to submit revised settlement materials. *Id.* at 7.

In accordance with the Court’s order, the parties submitted a revised settlement agreement (“Revised Agreement”) on April 14, 2016. Dkt. No. 121 Ex. A. The Revised Agreement does not include a confidentiality provision and the release is limited to claims “which relate to the manner/method of or amount of the payment of . . . compensation by

Defendants.” *Id.* § 5. Because the Revised Agreement addresses the Court’s concerns with the prior settlement agreement, *see* Dkt. No. 118 at 7, the Court finds the Revised Agreement to be fair and reasonable.

Accordingly, the settlement between the parties is approved. The Clerk of Court is directed to close the case.

SO ORDERED.

Dated: April 15, 2016
New York, New York

A handwritten signature in black ink, appearing to read 'A. Nathan', is written over a horizontal line.

ALISON J. NATHAN
United States District Judge